

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawing includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1.

In Figure 1, the legend “PRIOR ART” is added.

REMARKS

This is a response to the Office Action mailed on November 15, 2007.

Claims 1-5 are amended and claims 6-12 are new. No new matter is entered. Example support for the claims is as follows: claim 1 (former claims 2 and 3), claim 5 and 9-12 (specification, p.3-4, bridging paragraph), claims 6 and 7 (p.6, lines 3-15), claim 8 (see claim 1, also Figs. 4 and 5).

Regarding paragraph 1 of the Office Action, a new title has been provided based on the Examiner's suggestion. Applicants prefer not to refer to "contiguous regions" in the title as suggested.

Regarding paragraph 2 of the Office Action, in Figure 1, the legend "PRIOR ART" is added in the enclosed replacement drawing. Approval of the drawings is requested.

Regarding paragraph 4 of the Office Action, claims 1, 2, 4 and 5 have been rejected under 35 U.S.C. §102(b) as being anticipated by Tiedemann, Jr. (US 2001/0030948). Applicants respectfully traverse the rejections.

Tiedemann, Jr. provides a system in which a forward channel power allocation is adjusted based on information provided by a mobile station. In this system, multiple base stations transmit respective pilot signals which are received by the mobile station. The mobile station then assesses a signal quality of the received pilot signals (abstract). In particular, at a mobile station 18, an analog receiver 34 converts received RF energy into a digitized baseband signal which is provided to digital data receivers 40, 42, 45. The digital data receivers cooperate with a diversity combiner/decoder to form a rake receiver with different fingers, one finger for each digital data receiver. The digital data receivers can receive code channels from different base stations, and/or multi-path signals from a given base station. Fig. 3, par. 55 and 57. Thus, Tiedemann, Jr. provides a diversity receiver at a mobile station.

However, Tiedemann, Jr. provides no disclosure or suggestion regarding using diversity techniques for selecting a cell site and a cell site antenna for reception from a wireless terminal, e.g., in an uplink direction, from the wireless terminal to a central site. Accordingly, claim 1 and its dependent claims patentably distinguish over Tiedemann, Jr.

For example, claim 5 sets forth that a central site is connected to two or more cell sites via optical fibers, and each cell site comprises an optical transmitter and an optical receiver. In

contrast, Tiedemann, Jr. only provides a connection between a system controller and a PSTN using optical fiber, but not to a cell site (par. 40, Fig. 1).

Regarding the other cited references, Paulraj et al. (US 6067290) and Toshimitsu et al. (US 7006465), Toshimitsu et al. is cited as providing an antenna selector in a controller, but not using a diversity technique. In particular, Toshimitsu et al. assigns a fixed channel to each radio mobile station, and a base station controls the beam pattern of each radio base station so that the channels do not interfere with each other (abstract). This is done to simplify a hand-over process among the radio base stations.

Paulraj et al. is cited as providing an antenna selector using a diversity technique. Paulraj et al. provides spatial multiplexing in a cellular network to detect movement of a subscriber unit. In this approach, base stations include spatially separate transmitters and subscriber units include spatially separate receivers (abstract). Paulraj et al. refers to using diversity processing to transmit traditional mode traffic using multiple antennas (col. 12, line 52 to col. 13, line 9). However, this does not involve selection of a receive antenna as set forth in Applicants' claim 1.

Further, regarding the proposed combination of Paulraj et al. and Toshimitsu et al., such a combination, if made, arguendo, would still not lead one of ordinary skill in the art to Applicants' invention of claim 1 since it would simply result in modifying Paulraj et al.'s system to include control of a beam pattern to simplify a hand-over process. Accordingly, claim 1 and its dependent claims patentably distinguish over Paulraj et al. and Toshimitsu et al.

Regarding new claims 6-12, claim 6 is patentable as the cited references do not disclose or suggest a system in which a cell selector is arranged before a switch system and an antenna selector is after the switch system, relative to two or more cell sites.

Similarly, claim 7 is patentable as the cited references do not disclose or suggest a system in which a cell selector and an antenna selector are arranged before a switch system, relative to two or more cell sites.

Claim 8 is patentable at least for the reasons discussed in connection with claim 1.

Claims 9-12 are patentable at least for the reasons discussed in connection with claims 6 and 7.

Regarding paragraph 7 of the Office Action, claim 3 has been rejected under 35 USC 103(a) as being unpatentable over Tiedemann, Jr. in view of Paulraj et al. (US 6067290) and Toshimitsu et al. (US 7006465).

The proposed combination fails to disclose or suggest Applicants' claimed invention at least because Tiedemann, Jr. provides only a diversity receiver at a mobile station, and is not concerned with reception from a wireless terminal or selection of a receive antenna of a cell site. Similarly, the combination additionally of Paulraj et al. and Toshimitsu et al. would only result in modifying Paulraj et al.'s system to include control of a beam pattern to simplify a hand-over process, as taught by Toshimitsu et al., and a diversity receiver at a mobile station, as taught by Tiedemann, Jr.

Based on the above amendments and these remarks, reconsideration of the claims is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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